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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON, MEDFORD DIVISION**

FEDERAL TRADE COMMISSION

Plaintiff,

v.

ADEPT MANAGEMENT, INC., et al.

Defendants.

CASE NO.: 1:16-CV-00720-CL

**DEFENDANT SHANNON BACON JOINS
IN NOEL PARDUCCI'S MOTION FOR
RECONSIDERATION OF JUNE 10, 2019
ORDER FOR PERMANENT INJUNCTION
(DOC 732)**

Shannon Bacon (Bacon) joins in Defendant Noel Parducci's Motion for Reconsideration of June 10, 2019 Order for Permanent Injunction (Doc 732).

On June 18th & 19th, 2019 Bacon emailed the Federal Trade Commission (FTC) in a good faith effort to ask for clarity regarding the Permanent Injunction (Doc 730) and did not receive a reply back (see Doc 732-1).

For example, one of the questions Bacon was hoping to ask for clarity on is:

"Does information mailed through the U.S. Postal Service that is informational or regarding non-profit donations fall within the definition of "Direct Mail"? Would this be a "Marketing" restriction?"

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The Order states under DEFINITIONS, that: "Direct Mail" includes any solicitation or other marketing effort that uses the U.S. Postal Service, a foreign postal service, or a commercial mail carrier to communicate directly with consumers through printed materials."¹

The Merriam-Webster Dictionary Definition of the word *solicitation* is:

Definition of *solicitation*

1: the practice or act or an instance of soliciting

The Merriam-Webster Dictionary Definition of the word *soliciting* is:

Definition of *soliciting*

1: to make petition to entreat

2: to urge

3: to proposition (someone)

4: to try to obtain by using urgent requests or pleas

The Merriam-Webster Dictionary Definition of the word *Marketing* is:

Definition of *marketing*

1: the act or process of selling or purchasing in a market

2: the process or technique of promoting, selling, and distributing a product or service

When reading Merriam Dictionary's definitions of *solicitation* and *marketing*, Bacon's laymen's interpretation would be only something mailed through the U.S. Postal Service that asks for money for retail sales would be included and when an

¹ Order at page 2

advertisement is mailed but it doesn't involve an item for sale (NOT FOR SALE) it would be excluded. Does this fall within the definition?

One other question would be:

"What representative of the FTC can give an Exemption approval that Bacon can count on since Krista Bush, with the FTC, stated that approvals can be rescinded at any time (see Doc 732-1)."

If Bacon invests years of schooling and/or effort in a particular career path, counting on an FTC Exemption approval, Bacon and her family needs to be able to count on that.

CONCLUSION

Clarifying the overall Injunction is important so that in the future Bacon will know when Bacon needs to ask for an Exemption to ensure Bacon fully complies with the Injunction in its entirety and Bacon is not vulnerable to an FTC enforcement action. The Oregon Assurance of Voluntary Compliance (AVC), that Bacon signed, was very clear and easily applied. Perhaps, the AVC could be used as a skeleton framework for a revision.

Bacon respectfully asks the Court to order the FTC to clarify the language in the Order so the Bacon can be confident Bacon is in full compliance with the Order.

Dated: June 25, 2019

By: s/Shannon Bacon (*pro se*)

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CERTIFICATE OF SERVICE

I hereby certify that I am a defendant, Shannon Bacon, Pro Se, 555 Old Trail Creek Road, Trail, Oregon 97541, and that, pursuant to Rule 5(b) of the Federal Rules of Civil Procedure, a true and correct copy of the foregoing **DEFENDANT SHANNON BACON'S JOINS IN NOEL PARDUCCI'S MOTION FOR RECONSIDERATION OF JUNE 10, 2019 ORDER FOR PERMANENT INJUNCTION (DOC 732)** was livered to the following this 25th day of June, 2019 via electronic mail.

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